

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:08cr192

UNITED STATES OF AMERICA,)
)
)
)
vs.)
)
)
GRADY LEE RUSHING.)
)

O R D E R

THIS MATTER is before the Court on the Magistrate Judge's Memorandum and Recommendation [Doc. 25], filed on February 19, 2009.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, United States Magistrate Judge Carl Horn, III was designated to consider the Defendant's Motion to Suppress Evidence [Doc. 18].

On February 19, 2009, the Magistrate Judge entered a Memorandum and Recommendation [Doc. 25], recommending that the Defendant's Motion to Suppress Evidence [Doc. 18] be denied. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within ten days of service of the same. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation [Doc. 25] that the Defendant's Motion to Suppress Evidence [Doc. 18] be denied.

IT IS, THEREFORE, ORDERED that the Defendant's Motion to Suppress Evidence [Doc. 18] is **DENIED**.

IT IS SO ORDERED.

Signed: March 20, 2009



Martin Reidinger
United States District Judge

